

ENTERED

April 30, 2025

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
VICTORIA DIVISION

MARK WAYNE JOHNSON, JR.,

Petitioner,

v.

FEDERAL BUREAU OF PRISONS,

Respondent.

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CIVIL ACTION NO. 6:25-CV-00015

ORDER ADOPTING MEMORANDUM & RECOMMENDATION

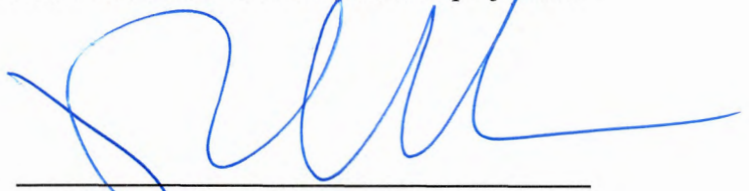
Before the Court is Magistrate Judge Mitchel Neurock's Memorandum and Recommendation ("M&R"). (D.E. 9). The M&R recommends that the Court deny Petitioner's motion for leave to proceed *in forma pauperis* and dismiss his petition unless he pays the \$5.00 filing fee. *Id.* at 1.

The parties were provided proper notice of, and the opportunity to object to, the Magistrate Judge's M&R. *See* 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b); General Order No. 2002-13. No objection has been filed. When no timely objection has been filed, the district court need only determine whether the Magistrate Judge's M&R is clearly erroneous or contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (per curiam); *Powell v. Litton Loan Servicing, L.P.*, No. 4:14-CV-02700, 2015 WL 3823141, at *1 (S.D. Tex. June 18, 2015) (Harmon, J.) (citation omitted).

Having reviewed the proposed findings and conclusions of the Magistrate Judge, the filings of the parties, the record, and the applicable law, and finding that the M&R is not clearly erroneous or contrary to law, the Court **ADOPTS** the M&R in its entirety. (D.E. 9). Accordingly, the Court **DENIES** Petitioner's motion for leave to proceed *in forma pauperis*. (D.E. 7). If Petitioner does

not pay the \$5.00 filing fee by May 29, 2025, the Court will dismiss this case without prejudice.

SO ORDERED.



DAVID S. MORALES
UNITED STATES DISTRICT JUDGE

Signed: Corpus Christi, Texas
April 30th, 2025